

AMENDED IN SENATE APRIL 21, 2003

AMENDED IN SENATE MARCH 24, 2003

SENATE BILL

No. 373

Introduced by Senator Margett
(Coauthor: Assembly Member Nation)

February 19, 2003

An act to ~~add Section 52057.5 to amend Section 64001 of, and to add Section 60242.1 to,~~ the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

SB 373, as amended, Margett. ~~High achieving performing schools.~~

Existing law requires the Superintendent of Public Instruction, by July 1, 1999, with approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools and to demonstrate comparable improvement in academic achievement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools. Under existing law, only schools with 100 or more test scores contributing to the API may be included in the rankings.

This bill would *require the board to establish a policy for approving the use of instructional materials not approved by the board and would provide that a school that has an Academic Performance Index ranking and, within 2 of the 3 preceding years, demonstrates comparable improvement in academic achievement by numerically significant socioeconomic disadvantaged subgroups within the school and receives a score* ~~district in which at least 70% of the schools receive scores of 800 or more on the API is exempt from the coordinated review process;~~

~~except as specified, and is exempt from any requirement for 3 of the immediately preceding 5 years, is authorized to purchase state-adopted instructional materials that have not been approved by the board. The bill would require the superintendent to establish procedures as necessary to carry out the purposes of the bill.~~

Existing law requires the Superintendent of Public Instruction to establish the content, process, and frequency for conducting reviews of district achievement related to categorical programs and compliance with state and federal categorical program requirements. Existing law also requires the superintendent to establish the content of these instruments, as specified.

This bill would require the superintendent to meet these requirements by July 1, 2004.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. — Section 52057.5 is added to the Education Code,~~

2 *SECTION 1. It is the intent of the Legislature that a school*
 3 *deemed to be a high performing school, defined as a school that*
 4 *has a score of 800 or greater on the Academic Performance Index*
 5 *and has comparable achievement among pupil subgroups, not be*
 6 *subject to Coordinated Compliance Review. The Superintendent of*
 7 *Public Instruction shall establish a policy that limits, to the extent*
 8 *a school is defined as high performing and has a record of*
 9 *compliance with the required reviews, the requirement for annual*
 10 *and periodic Coordinated Compliance Reviews.*

11 *SEC. 2. Section 60242.1 is added to the Education Code, to*
 12 *read:*

13 *60242.1. (a) The State Board of Education shall establish a*
 14 *policy for approving the use of instructional materials funds for the*
 15 *purchase of materials that have not been adopted by the board*
 16 *pursuant to Section 60200. This policy shall only apply to school*
 17 *districts in which 70 percent or more of the schools have scores of*
 18 *800 or greater on the Academic Performance Index, established*
 19 *pursuant to Section 52052, for three of the immediately preceding*
 20 *five years.*

21 *(b) Notwithstanding Section 60200, a school district that meets*
 22 *the requirement set forth in subdivision (a) may purchase*

1 *instructional materials that have not been adopted by the board,*
2 *pursuant to the policy established in subdivision (a).*

3 *SEC. 3. Section 64001 of the Education Code is amended to*
4 *read:*

5 64001. (a) (1) Notwithstanding any other provision of law,
6 ~~a school districts shall~~ *district is not be* required to submit to the
7 State Department of Education, as part of the consolidated
8 application, school plans for categorical programs subject to this
9 part. School districts shall assure, in the consolidated application,
10 that the Single Plan for Pupil Achievement established pursuant to
11 subdivision (d) has been prepared in accordance with law, that
12 schoolsite councils have developed and approved a plan, to be
13 known as the Single Plan for Pupil Achievement for schools
14 participating in programs funded through the consolidated
15 application process, and any other school program they choose to
16 include, and that school plans were developed with the review,
17 certification, and advice of any applicable school advisory
18 committees. The Single Plan for Pupil Achievement may also be
19 referred to as the Single Plan for Student Achievement. The
20 consolidated application shall also include certifications by
21 appropriate district advisory committees that the application was
22 developed with review and advice of those committees.

23 ~~For~~

24 (2) *For* any consolidated application that does not include the
25 necessary certifications or assurances, the State Department of
26 Education shall initiate an investigation to determine whether the
27 consolidated application and Single Plan for Pupil Achievement
28 were developed in accordance with law and with the involvement
29 of applicable advisory committees and schoolsite councils.

30 (b) (1) Onsite school and district compliance reviews of
31 categorical programs shall continue, and school plans shall be
32 required and reviewed as part of these onsite visits and compliance
33 reviews. ~~The~~

34 (2) *By July 1, 2004, the Superintendent of Public Instruction*
35 ~~shall establish~~ *do both of the following:*

36 (A) *Establish* the process and frequency for conducting reviews
37 of district achievement and compliance with state and federal
38 categorical program requirements. ~~In addition, the Superintendent~~
39 ~~of Public Instruction shall establish~~

1 (B) *Establish* the content of these instruments, including ~~any~~
2 criteria for differentiating these reviews based on the achievement
3 of pupils, as demonstrated by the Academic Performance Index
4 developed pursuant to Section 52052, and evidence of district
5 compliance with state and federal law. The State Board of
6 Education shall review the content of these instruments for
7 consistency with State Board of Education policy.

8 (c) (1) A school district shall submit school plans whenever
9 the State Department of Education requires the plans in order to
10 effectively administer any categorical program subject to this part.
11 The State Department of Education may require submission of the
12 school plan for any school that is the specific subject of a complaint
13 involving any categorical program or service subject to this part.

14 ~~The~~
15 (2) *The* State Department of Education may require a school
16 district to submit other data or information as may be necessary for
17 the department to effectively administer any categorical program
18 subject to this part.

19 (d) Notwithstanding any other provision of law, as a condition
20 of receiving state funding for a categorical program pursuant to
21 Section 64000, and in lieu of the information submission
22 requirements that were previously required by this section prior to
23 the amendments that added this subdivision and subdivisions (e)
24 to (i), inclusive, school districts shall ensure that each school in a
25 district that operates any categorical programs subject to this part
26 consolidates any plans that are required by those programs into a
27 single plan. Schools may consolidate any plans that are required
28 by federal programs subject to this part into this plan, unless
29 otherwise prohibited by federal law. ~~That~~ *This* plan shall be known
30 as the Single Plan for Pupil Achievement or may be referred to as
31 the Single Plan for Student Achievement.

32 (e) Plans developed pursuant to subdivision (d) of Section
33 52054, and Section 6314 and following of Title 20 of the United
34 States Code, shall satisfy this requirement.

35 (f) Notwithstanding any other provision of law, the content of
36 a Single Plan for Pupil Achievement shall be aligned with school
37 goals for improving pupil achievement. School goals shall be
38 based upon an analysis of verifiable state data, including the
39 Academic Performance Index developed pursuant to Section
40 52052 and the English Language Development test developed

pursuant to Section 60810, and may include any data voluntarily developed by districts to measure pupil achievement. The Single Plan for Pupil Achievement shall, at a minimum, address ~~how the manner in which~~ funds provided to the school through any of the sources identified in Section 64000 will be used to improve the academic performance of all pupils to the level of the performance goals, as established by the Academic Performance Index developed pursuant to Section 52052. The plan shall also identify the schools' means of evaluating progress toward accomplishing those goals and ~~how the manner in which~~ state and federal law governing these programs will be implemented.

(g) The plan required by this section shall be reviewed annually and updated, including proposed expenditure of funds allocated to the school through the consolidated application, by the schoolsite council, or, if the school does not have a schoolsite council, by schoolwide advisory groups or school support groups that conform to the requirements of Section 52012. The plans shall be reviewed and approved by the governing board of the local education agency at a regularly scheduled meeting whenever there are material changes that affect the academic programs for students covered by programs identified in Section 64000.

(h) The school plan and subsequent revisions shall be reviewed and approved by the governing board of the school district. School district governing boards shall certify that, to the extent allowable under federal law, plans developed for purposes of this section are consistent with district local improvement plans that are required as a condition of receiving federal funding.

(i) ~~Nothing in this act may be construed to~~ *This section does not* prevent a school district, at its discretion, from conducting an independent review pursuant to subdivision (c) of Section 64001 as that section read on January 1, 2001.

~~to read:~~

~~52057.5.—(a) Notwithstanding any other law, a school that has an Academic Performance Index ranking pursuant to Section 52052 and that meets both of the requirements specified in paragraphs (1) and (2) in two of the three preceding years is exempt from the coordinated compliance review, except for portions of the review related to English learner compliance, and, notwithstanding Article 3 (commencing with Section 60240) of Chapter 2 of, Chapter 3.25 (commencing with Section 60420) of,~~

1 and Chapter 3.5 (commencing with Section 60450) of, Part 33, is
2 exempt from any requirement to purchase state-adopted
3 instructional materials.
4 (1) The school demonstrates comparable improvement in
5 academic achievement by numerically significant socioeconomic
6 disadvantaged subgroups within the school.
7 (2) The school receives a score of 800 or more on the Academic
8 Performance Index.
9 (b) The Superintendent of Public Instruction shall establish
10 procedures as necessary to carry out the purposes of this section.

